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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,689	10/15/2003	Nirupama Kenkare	241501-1480	9176
24504	7590	06/20/2005	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 GALLERIA PARKWAY, NW STE 1750 ATLANTA, GA 30339-5948			WONG, TINA MEI SENG	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,689

Applicant(s)

KENKARE ET AL.

Examiner

Tina M. Wong

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 and 18-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-17, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-29 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/15/03, 9/13/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Applicant's election without traverse of Group II, claims 10-17 and 28-29, in the reply filed on 07 June 2005 is acknowledged.

Drawings

The drawings are objected to because: The drawings filed with this application on 15 October 2003, are objected to as being informal. Notice that all the figures are hand drawn and the labels on the figures are handwritten. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2874

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 10-17 and 28-29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,259,060 to Edward et al.

In regards to claim 10, Edward et al discloses a method of forming an optical fiber comprising the steps of

- drawing an optical fiber (Figure 1, Figure 2)
- applying a layer of primary coating material to the optical fiber (Figure 1: 14 and 20, Figure 2 14 and 20')
- applying a layer of color coating material to the optical fiber (22, 22')
- applying a secondary coating material to the optical fiber (24)

where each of the layers are applied prior to the other layers being cured.

In regards to claim 11, Edward et al discloses the layer of color coating material (22') to be disposed and adjacent to the optical fiber (10, 12) and the layer of the primary coating material (20'). (Figure 2)

In regard to claim 12, Edward et al discloses the layer of color coating material disposed between and adjacent the layer of the primary coating material (and the layer of the secondary coating material. (Figures 1, Figure 2)

In regards to claim 13, Edward et al discloses the step of applying a layer of the primary coating material further comprising applying a first layer of primary coating material (14) adjacent to the fiber and applying a second layer of primary coating material (20, 20') between the adjacent the first primary coating material and the secondary coating material. (Figure 1, Figure 2)

In regards to claim 14, Edward et al discloses a layer of primary coating material (14, 20) disposed between and adjacent the optical fiber (10, 12) and the layer of secondary coating material (24) and the layer of color coating material (22) is disposed adjacent the layer of secondary coating (24). (Figure 1)

In regards to claim 15, Edward et al discloses an optical fiber being formed.

In regards to claim 16, Edward et al discloses a method of forming an optical fiber comprising the steps of

- drawing an optical fiber (Figure 1)
- applying a layer of primary coating material to the optical fiber (14 and 20)
- applying a layer of color coating material to the layer of the primary coating material (22)
- applying a secondary coating material to the layer of the color coating material (24)

In regards to claim 17, Edward et al discloses applying a second layer of primary coating (22) between and adjacent the first layer of primary coating material (14) and the layer of the secondary coating material (24).

In regards to claim 28, Edward et al discloses a system for forming an optical fiber comprising

- means for drawing an optical fiber (Figure 1)
- means for applying a layer of primary coating material to the optical fiber (14 and 20)
- means for applying a layer of color coating material to the layer of the primary coating material before the application of a layer of secondary coating material (22)

- means for applying a secondary coating material to the layer of the color coating material (24)

In regards to claim 29, Edward et al discloses a means for applying a layer of primary coating material further comprising applying a first layer (14) adjacent the optical fiber and a means for applying a second layer (20) adjacent to the first layer.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References B-D all discuss alternative methods of forming optical fibers with a coloring layer.

The documents submitted by applicant in the Information Disclosure Statements have been considered and made of record. Note attached copies of forms PTO-1449.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

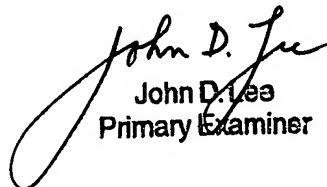
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TMW



John D. Lee
John D. Lee
Primary Examiner